

**MINUTES OF LAYTON CITY
COUNCIL WORK MEETING**

OCTOBER 3, 2013; 5:38 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL
BOUWHUIS, JOYCE BROWN, BARRY FLITTON,
JORY FRANCIS AND SCOTT FREITAG**

STAFF PRESENT:

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,
PETER MATSON, WOODY WOODRUFF, TRACY
PROBERT, TERRY COBURN, TORI CAMPBELL
AND THIEDA WELLMAN**

The meeting was held in the Council Conference Room of the Layton City Center.

Mayor Curtis opened the meeting and turned the time over to Alex Jensen, City Manager.

MISCELLANEOUS:

Alex indicated that the sidewalk repairs that had been addressed by Mr. Nielsen at the last Council meeting had been completed. He said Mr. Nielsen was happy and grateful that the Council listened to his concerns and took care of the problem.

Alex indicated that the Ed Green rezone on Angel Street would be tabled to the November 21st meeting at the request of the developer. He said the neighbors had been notified and the property had been posted.

Alex said UDOT held an open house last evening regarding the Antelope Drive connection to Highway 89. He said there was some indication that residents would rise up and come to the regular meeting this evening to voice their concerns to the Council. Alex said the residents sent an email voicing concerns about a signal light at the frontage road connection versus a 4-way stop, issues with large trucks on Antelope Drive, and a possible 2-way connection at the frontage road. He said Staff would suggest that the regular meeting on October 17th be cancelled, and a work/strategic planning meeting be held where UDOT could be invited to respond to comments about their proposal. It would give Staff time to address questions directed to the City in a more organized fashion. Alex said Woody Woodruff, City Engineer, had called UDOT this morning to inform them that that would be happening. Alex suggested that the Mayor inform the audience this evening of the October 17th meeting.

Councilmember Bouwhuis asked if that section of Antelope Drive was considered a State road.

Alex said it was a City road.

Councilmember Bouwhuis asked if it would be possible to limit truck access on the road.

Alex said yes; truck traffic could be limited by weight. He said the City would want to do that; the hill would be an issue especially for truck traffic.

Councilmember Bouwhuis asked if there were any trucks that tried to access that road now.

Woody said yes; if they were lead astray by their GPS units. He said there was a great turnout at the open house meeting last night.

Councilmember Brown said she appreciated that Woody and Alan Moss were there to answer questions.

She said they were very good with the residents and in answering questions. Councilmember Brown said she felt that most people were generally accepting of the concept, but they had a few concerns.

Woody said he agreed; in general it was well received. He said the concerns expressed were all the same; trucks, speed, and access onto the frontage road.

Councilmember Bouwhuis asked if there were any residents from the east side of Highway 89 that attended.

Woody said there were some; they were concerned with access to Highway 89, but understood what the City was trying to accomplish.

Councilmember Flitton asked if there was much positive response.

Woody said yes; those on Sunset Drive were very positive, and there were other positive comments.

Councilmember Bouwhuis asked if hiring a public relations firm had been helpful.

Woody said yes; they had contacted a lot of people in the area.

Woody handed out conceptual drawings of the design of the connection to Highway 89.

Councilmember Flitton asked if there would be a light at the connection.

Woody said yes, it would be similar to the Oak Hills Drive connection, but there would be a free right onto southbound Highway 89 with an acceleration lane that would allow for traffic to merge. He said the biggest concern of the residents was the four way stop at the frontage road connection. A signal wasn't warranted at this point, and there would be a park and ride in the future in that area.

Councilmember Flitton asked what the distance was between the frontage road and Highway 89.

Woody said it was about 300 feet, which would allow for a few cars to stack.

Councilmember Bouwhuis asked about the connection on the east side of Highway 89.

Woody said the plan for now was to make that a hammerhead turnaround with an emergency gate. There would be no public access to Highway 89 at this location.

Councilmember Bouwhuis asked which streets were already connected to Highway 89.

Woody indicated that all of them on the map connected to Highway 89 except 2700 North.

Councilmember Flitton thanked Staff for the recent repairs to the approaches on Highway 89.

Councilmember Freitag asked what traffic count increases Staff was anticipating on Antelope Drive once the connection was made. He asked if the City needed to consider improvements to the curve on Antelope Drive.

Terry Coburn, Public Works Director, said Chief Keefe was concerned about traffic safety in that area.

Woody said the City may consider reducing the speed in that area. He said the current speed limit was 40 mph.

Councilmember Freitag expressed concerns with the connection at Oak Forest Drive.

Woody said there were a lot of safety concerns in that area, especially with snow.

Alex said there were a lot of positives with this connection and it improved the safety with all of the connections to Highway 89, but it would bring safety concerns along Antelope Drive with additional traffic. He said it was generally better to be on an arterial street instead of going through residential subdivisions. Alex said it would be good to have this meeting with UDOT where some of these concerns could be addressed.

Discussion suggested that having the meeting on October 17th would be good.

AGENDA:

FINANCIAL REPORT

Tracy Probert, Finance Director, said the August distribution of sales tax, which was the final distribution for fiscal year 2013, was actually down a little from the prior year. He said July's distribution, which was received in September, was way above what was anticipated. Tracy said an economist that worked with the State discovered that some of the distribution in July should have been in June. He said with that correction, the City ended the year \$470,000 above what was budgeted for sales tax. Tracy said July sales tax was up \$150,000 from what was budgeted, but some of that should have been included in the June distribution.

Tracy said the City was looking good, and Staff would report final numbers next month after the audit was completed. He said all of the revenues for fiscal year 2013 were up.

Councilmember Bouwhuis asked Tracy if he could forward the electronic information to the Council.

Tracy said he would do that.

Councilmember Bouwhuis asked what the cost of the audit would be.

Tracy said it was \$28,000.

PROPOSAL AWARD – BOWEN, COLLINS AND ASSOCIATES, INC. – PROFESSIONAL ENGINEERING SERVICES FOR THE LAYTON CITY WATER MASTER PLAN UPDATE 2013 – RESOLUTION 13-54

Terry Coburn said this was a proposal award to Bowen, Collins and Associates for consulting services for the Water Master Plan updated. He said it would help the City update the Water Master Plan, the Impact Fee Facility Plan, the Impact Fee Analysis and the rate study. Terry said 6 RFPs were sent out to consulting firms and 4 were submitted; Bowen and Collins submitted the lowest bid at \$81,990. He said the engineer budgeted \$100,000.

Councilmember Bouwhuis said his understanding was that impact fees could only be assessed on new growth, and only for infrastructure.

Gary Crane, City Attorney, said the fees could only be used for system improvements and not a project improvement.

Councilmember Bouwhuis asked how the City's impact fee rates compared to other cities.

Gary said they were similar to surrounding areas. He said there was some concern over storm drain impact fees because it was broken up into three different service areas of the City. Gary said the City was

currently going through an analysis of that, and was looking at changing to one overall rate.

LICENSE AGREEMENT BETWEEN LAYTON CITY AND UTAH TRANSIT AUTHORITY (UTA) – STORM DRAIN PIPE INSTALLATION — D&RGW RAIL TRAIL – APPROXIMATELY 700 SOUTH AND 400 WEST – RESOLUTION 13-55

Terry Coburn said this was a license agreement with UTA for the installation of a 30-inch storm drain pipe, encased in a 36-inch steel casing, under the D&RG rail trail. He said this would help alleviate some of the storm water problems in that area.

ADAMSWOOD ROAD SANITARY SEWER PAYBACK – 450 NORTH TO 400 NORTH ADAMSWOOD ROAD RUNNING WEST TO FAIRFIELD ROAD ALONG THE NORTH BOUNDARY OF THE FAIRFIELD ROAD STORM WATER DETENTION FACILITY AND CONNECTING TO THE EXISTING NORTH DAVIS SEWER DISTRICT SANITARY SEWER MAIN AT 350 NORTH FAIRFIELD ROAD – RESOLUTION 13-53

Terry Coburn said this was a sanitary sewer payback agreement. He said the City installed a sanitary sewer mainline in Adamswood Road from 450 North to 400 North, and west along the north boundary of the Fairfield Road storm water detention facility. Terry said that line was installed by the City in September 2011, and there was developable property that would benefit from the line. He said the purpose of the resolution was to require new development to pay for their fair share of the costs of that sanitary sewer line.

Gary Crane said some time ago the City passed a resolution that allowed the City to collect funds for infrastructure the City had previously installed, that benefited future development. He said the assessment was recorded against the property.

Councilmember Bouwhuis asked how the City kept track of these paybacks; there had to be thousands of them.

Woody said they were tracked through a GIS system that mapped the paybacks.

Councilmember Freitag expressed appreciation to Staff for their quick response in putting up a sign he had mentioned.

Council and Staff discussed the signal light at Fairfield Road and Church Street and what an improvement that was to the intersection.

Terry thanked everyone for attending the ribbon cutting ceremony at the new water tank.

Councilmember Flitton asked if the City owned the property north of the tank.

Terry said it was owned by the City.

Woody said Staff had approached the Couches to see if they were interested in the property. He said the City was currently in negotiations with them.

Terry said the Couches have been very good to work with during the installation of the tank.

Alex said the matting over the tank would eventually be grass. He said it would eventually look like a field of grass and you wouldn't be able to see the tank.

MISCELLANEOUS: (continued)

Alex said he asked Staff to explore the possibility of pushing the UTOPIA based Layton City public Wi-Fi as far out in the park as possible. He said IT had done some analysis of that, and talked with some vendors about what it would cost, and the City could do that for about 1/6 of the cost the vendors were quoting. Alex said he had directed Staff to move forward with doing that. He said it would cost approximately \$16,000 to push super high-speed Wi-Fi to most of the park area from the Parks Shop, on the other side of Constitution Circle, through the bowery and Surf 'n Swim, Davis Arts Council, and the amphitheater, and about half way down through the park. Alex said it would give citizens a taste of the speed of UTOPIA. He said it would be advertised as a free service being offered by the City, and citizens would be encouraged to use it.

Councilmember Bouwhuis said it was a great plan that provided a service to two critical partners; the Davis Arts Council and the Museum.

Alex said it would be a nice amenity in the park. He said it would be filtered like it was in the building.

Councilmember Freitag mentioned an article about AT&T wanting to compete with Google in putting fiber in municipalities. He said he would forward the article.

Councilmember Bouwhuis asked if Alex had an idea of the value of the UTOPIA infrastructure.

Alex said sale value was different than hard value. He said there was a booked value but he couldn't say what that was. Alex said UTOPIA was getting closer to a breakeven point on operating costs, but they were in litigation with RUS, which was taking a lot of resources. He said the gap was shrinking about \$10,000 a month.

Councilmember Bouwhuis asked if there was a time frame on the litigation issue.

Alex said the last he had heard was that there would be an opportunity for settlement discussions in March or April of next year. He said UTOPIA attorneys were optimistic and the depositions on the UTOPIA side were good. Alex said some being deposed on the opposite side had left the government and some were scattered across the country. He said the trial would be before a judge not a jury, and there would be a settlement opportunity before that point.

Councilmember Bouwhuis asked if there had been any companies approaching UTOPIA expressing an interest in purchasing the system.

Alex said there had been some discussions; having Google in the State had heightened that awareness. He said when Google stood up, like they did at the ULCT conference and stated that fiber was the future, and the benefits it would bring were as significant as going from dial-up to DSL, there was a lot more interest. Alex said he thought things were changing somewhat at the legislature as well, in that now they were looking at how UTOPIA could benefit the State, which would be very significant. He said there was so much potential with the amount of fiber there was in the ground between UTOPIA, UDOT, UEA, UCAN, etc. Alex said if someone would give the direction to work together, ultra high speed broadband could be pushed to almost every corner of the state, urban and rural. He said they were optimistic that that was slowly changing.

Councilmember Flitton said his concern had always been with upper level management of UTOPIA and losing key people. What could UTOPIA do to protect themselves; maybe it would be a good idea to purchase key man insurance.

Alex said it was something that should be considered. This was an extremely competitive environment;

companies were stealing employees from other companies all the time. He said there was a strong loyalty from the employees because they believed in the vision of UTOPIA and what the cities were trying to accomplish. Alex said sometimes that was a benefit for UTOPIA, as former employees went into private sector jobs, they often directed those companies toward UTOPIA.

Councilmember Francis said he was hearing, “let’s fix it” instead of “let’s throw it away.”

Councilmember Flitton said most of the calls and emails he received from people were asked when they could get it.

Gary explained an advertisement made by Google and the positive impact Google was having on fiber in the State.

Council and Staff discussed the impact it could have on education.

Alex said the tour of the Kays Crossing apartment complex was very good. He said the development was impressive and would be a tremendous asset to the City.

Councilmember Brown said it was very impressive. She said it was something that hadn’t been offered in the City. Councilmember Brown explained the layout of the apartments and indicated that they were similar to those she had seen back east. She said there were a lot of nice amenities, including the ability to plug in electric cars in the parking structure.

Councilmember Flitton said the more expensive units were \$1,200 a month and had 11-foot ceilings, granite countertops and great views.

Councilmember Bouwhuis said it would be interesting to see how many tenants would ride the train.

Bill Wright, Community and Economic Development Director, said they anticipated 30% would ride FrontRunner.

Councilmember Bouwhuis said it would be a great impact on the downtown area.

Bill said they would also put a roof garden on top with a hot tub. He said it would feel fairly urban. Bill said the design would allow for storage units that could be rented.

Councilmember Freitag asked if there would still be retail space closer to the tracks.

Bill said yes, and there would be retail on the main floor on the south side of the high rise. He said there would be tennis courts, basketball courts, and a pool. Bill said there had been a little bit of a parking issue with construction workers. He said the interior garage should be done in a week and a half, which would help with the parking issue. Bill said they anticipated opening early in April 2014.

Councilmember Freitag said Salt Lake City had installed webcams at significant construction sites. He said they had time lapse videos of the progress.

Bill said that was being done. The camera was on the roof of the Destination Homes building.

Peter Matson, City Planner, said Gibbs and Katherine Smith had donated some of the property for the project. He said Mr. Smith wanted a unique restaurant in the retail area. Peter said it would be interesting to see how that developed.

Bill said if anyone wanted to tour the building, Staff could arrange that.

Councilmember Freitag asked if the buildings located on the northwest corner of Gentile Street and Main Street were separately owned. He wondered what the chance would be of a cooperative revitalization of those buildings.

Council and Staff discussed ownership of some of the Main Street properties, including the UDOT property on the northeast corner of Gentile Street and Main Street.

Bill said there were investors interested in the property on the southeast corner, but the billboards were an issue. He said the City was working with Regan Outdoor Advertising to get the noncompliant billboards demolished so that electronic billboard permits could be issued.

Councilmember Bouwhuis suggested discussing some of these properties in a future Strategic Planning meeting to promote the vision for the downtown area.

Bill said Kays Crossing was creating a lot of interest in the downtown area.

Council and Staff discussed improvements being made at the train station.

The meeting adjourned at 7:02 p.m.

Thieda Wellman, City Recorder